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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

SANGEETA DEVI CHAND; MELVIN
CHAND,

Petitioners,

v.

ERIC H. HOLDER Jr., Attorney General,

Respondent.

No. 07-72724

Agency Nos. A073-395-366
A075-395-367

MEMORANDUM^{*}

MUKESH CHAND,

Petitioner,

v.

ERIC H. HOLDER Jr., Attorney General,

Respondent.

No. 07-73078

Agency No. A029-241-865

On Petitions for Review of Orders of the
Board of Immigration Appeals

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

Submitted July 29, 2009**

Before: WALLACE, LEAVY, and HAWKINS, Circuit Judges.

In these consolidated petitions, Mukesh Chand, his wife Sangeeta Chand, and their son Melvin Chand, natives and citizens of Fiji, petition for review of the Board of Immigration Appeals' ("BIA") orders denying their motions to reopen based on ineffective assistance of counsel. We have jurisdiction pursuant to 8 U.S.C. § 1252. We review for abuse of discretion the denial of a motion to reopen, and review de novo constitutional questions, including claims of ineffective assistance of counsel. *Mohammed v. Gonzales*, 400 F.3d 785, 791-92 (9th Cir. 2005). We deny the petitions for review.

We agree with the BIA's conclusion that petitioners failed to establish that their former attorneys' alleged ineffective assistance resulted in prejudice, and thus their claims of ineffective assistance of counsel fail. *See id.* at 793-94 (to prevail on an ineffective assistance of counsel claim a petitioner must demonstrate prejudice).

PETITIONS FOR REVIEW DENIED.

** The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).